7766905/2023/VIG-II-PRR01

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

PS – PR&RD Department – Allegation of claiming of salary irregularly for the absence period while on deputation at the O/o. the MPDO, Dagadarthi, SPSR Nellore District in respect of Sri P. Kamal Suresh Babu, Junior Assistant, O/o. the EE, PR, Kavali, SPSR Nellore District - Common disciplinary proceedings and charges framed against **Sri K. Venkateswara Rao, Mandal Parishad Development Officer, Dagadarthi Mandal, SPSR Nellore District -** Charge proved in inquiry report of Member, C.O.I & I.A dt:29.10.2021 - Representation received – Imposition of punishment of withholding of two (2) Annual Grade Increments with cumulative effect under Rule 9 (vi) of A.P.C.S (CC&A) Rules, 1991 – Orders – Issued.

PANCHAYAT RAJ & RURAL DEVELOPMENT (VIG-II) DEPARTMENT

G.O.Rt.No.484 **Dated:10.08.2023**

Read the following:

1. From the DG, ACB, Letter C.No. 5/RE-NNL/2011, Dated: 1.6.2016.
2. G.O.Rt.No.785, PR&RD (Vig. II) Department, Dated: 30.11.2017.
3. G.O.Rt.No.789, PR&RD (Vig. II) Department, Dated: 30.11.2017.
4. From Sri K. Venkateswara Rao, former MPDO, Dagadarthi Mandal and working as District Vigilance Officer, District Water Management Agency, SPSR Nellore District, written statement of defence dt: 21.10.2019.
5. G.O.Rt.No.27, PR&RD (Vig. II) Department, Dated: 22.01.2021.
6. From Sri K. Venkata Ramireddy, Member, Commissionerate of Inquiries, GAD and Inquiry Authority, D.O.Letter. No.02/COI-KVR/2021, Dated:29.10.2021.
7. Govt. Memo.No.8245/Vig.II/2016-15, PR&RD(Vig.II) Dept., dated 09.02.2022.
8. From K. Venkateswara Rao, former MPDO, Dagadarthi Mandal and presently MPDO, Venkatagiri, Tirupati District, representation dt: 20.05.2022.
9. Govt. Letter No.8245/Vig.II/2016-19, Dated:24.07.2023.
10. From the Secretary, APPSC, Letter No.219/DC&C/2023, Dated:09.08.2023.

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ORDER:

Based on the recommendations of the Director General, Anti-Corruption Bureau, A.P, made in the reference 1st read above, on the allegation of claiming of salary irregularly for the absence period while on deputation at the O/o. the MPDO, Dagadarthi, SPSR Nellore

[P.T.O]

District, in respect of Sri P. Kamal Suresh Babu, Junior Assistant, O/o. the EE, PR, Kavali, SPSR Nellore District, Government, among others, have initiated common disciplinary proceedings under Rule 24 of APCS (CC&A) Rules, 1991 duly framing following article of charge under Rule 20 of said Rules vide references 2nd and 3rd read above against Sri K. Venkateswara Rao, Mandal Parishad Development Officer, Dagadarthi Mandal, SPSR Nellore District, with a direction to submit his written statement of defence :

Charge :

That Sri K. Venkateswara Rao, while working as Mandal Parishad Development Officer, Dagadarthi Mandal, has filed to take action Sri P. Kamal Suresh Babu, as supervisory officer and also failed to report the matter of unauthorised absence of Sri P. Kamal Suresh Babu either to the CEO, ZPP, Nellore or EE, PR, Kavali and allowed Sri Kamal Suresh Babu to draw salary for a period of 471 days of his unauthorised absence thereby caused loss to the Govt.

Thus, Sri K. Venkateswara Rao, Mandal Parishad Development Officer, Dagadarthi Mandal by his above mentioned acts has exhibited lack of integrity, devotion to duty and conduct unbecoming of a Govt. servant and thereby contravened the Rule 3 (1) & (2) of A.P.C.S (Conduct) Rules, 1964.

2. In the reference 4th read above, the charged officer Sri K. Venkateswara Rao, Mandal Parishad Development Officer, Dagadarthi Mandal, SPSR Nellore District, has submitted his written statement of defence to Government for taking further action in the matter.

3. Government have not satisfied with the Written Statement Defence submitted by Charged Officer and decided to conduct regular enquiry into the matter against the charged officer Sri K. Venkateswara Rao, former MPDO, Dagadarthi Mandal, SPSR Nellore District and against eight (8) other co-charged officers involved in the case. Accordingly, in the reference 5th read above, Government have entrusted the case to Commissionerate of Inquiries and appointed Sri K. Venkata Ramireddy, Member, C.O.I, G.A. Department as the Inquiring Authority under Rule 20 (2) of A.P.C.S (CC&A) Rules, 1991 to conduct enquiry into the charges framed against all the nine (9) Charged Officers into the matter.

4. In the reference 6th read above, the Member, C.O.I & Inquiring Authority has submitted inquiry report dt:29.10.2021, wherein the Inquiry Officer has held that charge framed against the charged officer Sri K. Venkateswara Rao, former Mandal Parishad Development Officer, Dagadarthi Mandal, SPSR Nellore District, is held proved, among others.

[P.T.O]

5. In the reference 7th read above, Government, among others, have communicated a copy of the inquiry report to the charged officer Sri K. Venkateswara Rao, former Mandal Parishad Development Officer, Dagadarthi Mandal, SPSR Nellore District, as per Rule 21 (2) of A.P.C.S (CC&A) Rules, 1991, for his representation if any on the findings of the Inquiry Authority.

6. In the reference 8th read above, the charged officer Sri K. Venkateswara Rao, former MPDO, Dagadarthi Mandal and presently MPDO, Venkatagiri, Tirupati District, has submitted representation dt:20.05.2022 duly stating that as per the inquiry report there was no piece of evidence that he has recommended for drawl of the amount for the absent period of Charged Officer-1 Sri P. Kamal Suresh Babu, Junior Assistant. The PWs 1 to 10 also did not adduce any evidence during the enquiry that he has recommended for drawl and deposing the amount in the account of C.O.-1 for the absent period. The entire amount drawn the C.O.-1 was paid to the Govt. Treasury and there is no loss. However, the Inquiry Authority came to erroneous conclusion and held that charge is held proved against him. He has disagreed with the findings of I.A and requested to exonerate him from the charge.

7. Government have examined the matter with reference to the material made available and observe that the Chief Executive Officer, ZPP, Nellore vide Procs. Rc. No.A2/5581/06, dt:10.08.2007 issued orders in respect of Sri P. Kamal Suresh Babu, Junior Assistant, O/o. the EE, PR Division, Kavali for deputation to the O/o. the MPDO, Dagadarthi Mandal, with a direction therein to the Executive Engineer, PR, Kavali to relieve the individual from PR Division, Kavali and to claim salary upon receipt of duty certificate from the O/o. the MPDO, Dagadarthi Mandal. Accordingly, the Charged Officer-1 Sri P. Kamal Suresh Babu, Junior Assistant was got relieved from the O/o. the EE, PR, Kavali on 16.08.2007 itself to O/o. the MPDO, Dagadarthi Mandal on deputation basis. As per the above proceedings, the O/o. the EE, PR, Kavali has to draw the pay and allowance of above individual only upon a duty certificate received from the O/o.the MPDO, Dagadarthi. Whereas the charged officer Sri K. Venkateswara Rao, having been worked as Mandal Parishad Development Officer, Dagadarthi Mandal, had failed to take action against Sri P. Kamal Suresh Babu, Junior Assistant, as supervisory officer and never reported the matter of unauthorized absence either to the Chief Executive Officer, ZPP, Nellore or E.E, PR, Kavali and allowed Sri P. Kamal Suresh Babu, Junior Assistant to draw salary for a period of (471) days of his unauthorized absence irregularly. His contention that the Charged Officer-1 had remitted the drawn amount to Govt. Treasury and no loss, is not tenable and he, being the head of the office of the O/o. the MPDO, had failed to take action against the C.O.01 Sri P. Kamal Suresh Babu, Junior Assistant in spite of his absence to duties for the above period. Hence, he is responsible in the matter and his contention to drop further action is devoid of merits as he is not absolved from the charge

[P.T.O]

8. Government after examination of the matter, have taken a decision to impose a punishment of withholding of two (2) Annual Grade Increments with cumulative effect against the charged officer Sri K. Venkateswara Rao, former MPDO, Dagadarthi Mandal and presently MPDO, Venkatagiri, Tirupati District, since the charge is held proved against him and addressed the A.P. Public Service Commission for their concurrence vide reference 9th read above.

9. In the reference 10th read above, the Secretary, A.P. Public Service Commission has communicated the consent of the Commission to impose the above penalty against the charged officer and advised to take action accordingly.

10. Accordingly, Government after careful examination of the matter, hereby impose the punishment of withholding of two (2) Annual Grade Increments with cumulative effect against Sri K. Venkateswara Rao, former MPDO, Dagadarthi Mandal and presently MPDO, Venkatagiri, Tirupati District, under Rule 9 (vi) of A.P.C.S (CC&A) Rules, 1991, in the matter.

11. The Commissioner, Panchayat Raj and Rural Development, is requested to take further action in the matter accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

B RAJSEKHAR
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To
The Commissioner, Panchayat Raj and Rural Development, A.P. Tadepalli, Guntur District.
Sri K. Venkateswara Rao, former MPDO, Dagadarthi Mandal and presently MPDO, Venkatagiri, Tirupati District.
(**through** the Commissioner, Panchayat Raj and Rural Development, A.P. Tadepalli, Guntur District)
(with a request to serve the order on the individual and furnish served copy to Government)

Copy to:
The Engineer-in-Chief, Panchayat Raj, AP, Vijayawada.
The Director General, Anti-Corruption Bureau, A.P., Vijayawada.
The A.P. Public Service Commission, Vijayawada.
The PR&RD (Estt.V) Department.
OSD to the Hon'ble Dy.CM for PR&RD Department.
PS to Spl. CS to Govt, PR&RD Department.
SF/SC.

//FORWARDED::BY::ORDER//

SECTION OFFICER